

## **REMARKS**

It is respectfully requested that the application be reconsidered in view of the arguments presented herein.

### **I. STATUS OF CLAIMS**

Claims 1-24 are pending in this application.

### **II. 35 U.S.C. 102 REJECTIONS**

(i) Claims 1, 6-10, 19 and 23-24 were rejected under 35 U.S.C. 102(b) as being anticipated by or in the alternative, under 35 U.S.C. 103(a) as obvious over U.S. Patent No. 5,889,309 to Yu et al. ("the Yu patent").

In response, Applicants respectfully assert that Yu fails to teach or suggest all of the features of the presently claimed invention as recited in claim 1.

Yu at the very least fails to teach or suggest the insulating region recited in claim 1. On page 2 of the Office Action, The Examiner alleges that element 54 depicted in Fig. 9 of Yu is the same element as the insulating region recited in claim 1.

The Applicants respectfully disagree with the above characterization because element 54 described in Yu and the insulating region recited in claim 1 are clearly structurally distinct elements from one another. Rather, element 54 of Yu is a diffusion region as opposed to an insulating region as recited in claim 1. One skilled in the art would readily understand that a diffusion region and an insulating region of a semiconductor device are clearly not the same element as one another, and thus Yu fails to teach or suggest an insulating region, as recited in claim 1.

Moreover, since the diffusion region element 54 of Yu and the insulating region of claim 1 are not the same for the reasons discussed above, it must also follow that the devices and the results produced therefrom must also be different. In particular, there is nothing in Yu that discloses or remotely suggests that an insulating region inside the second well along with the first-type diffusion region of the first well constitute a bipolar junction transistor which cuts off current flowing from the first well to the third well. Thus, claim 1 is not anticipated or rendered obvious by Yu.

For the reasons set forth above, withdrawal of the above rejections to claim 1 is respectfully requested. As claims 6-10 depend from and incorporate all of the limitations of claim 1, withdrawal of the rejection to these dependent claims is also respectfully requested.

In addition, Yu also fails to teach or suggest all of the features of the presently claimed invention as recited in independent method claim 19, for essentially the same reasons as set forth above with regard to claim 1. In particular, Yu at the very least fails to teach or suggest a method of forming a semiconductor device, wherein an insulating region is formed inside a second well.

Therefore, withdrawal of the above rejections to claim 19 is respectfully requested. As claims 23-24 depend from and incorporate all of the limitations of claim 19, withdrawal of the rejection to these dependent claims is also respectfully requested.

### **III. 35 U.S.C. 103(a) REJECTIONS**

(i) **Claims 2-5, 11-18 and 20-22 were rejected under 35 U.S.C. 103(a) as being unpatentable over the Yu patent in view of U.S. Patent No. 6,291,303 to Tung ("the Tung patent").**

In response, it is noted that this rejection is legally deficient on its face because, the primary reference, i.e. Yu as mentioned above, fails to teach or suggest an insulating region as recited in claims 1, 12 and 19. Moreover, Tung fails to cure the above deficiencies of the Yu

patent because Tung likewise at the very least fails to teach or suggest the insulating region recited in claims 1, 12 and 19. Element 308a described in Tung and mentioned by the Examiner on page 6 of the Office Action is clearly a structurally distinct element from the insulating region recited in claims 1, 12 and 19. Rather, element 308a of Tung is an N type-well as opposed to an insulating region as recited in claims 1, 12 and 19. Moreover, one skilled in the art would readily understand that an N-type well and an insulating region of a semiconductor device are clearly not the same element as one another, and thus Tung fails to teach or suggest an insulating region, as recited in claims 1, 12 and 19.

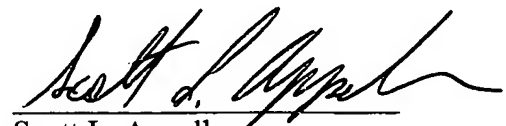
For the reasons set forth above, the combination of Yu and Tung fail to teach or suggest all of the features recited in claims 1, 12 and 19. As claims 2-5 and 11 depend from and incorporate all of the limitations of claim 1, claims 13-18 depend from and incorporate all of the limitations of claim 12, and claims 20-22 depend from and incorporate all of the limitations of claim 19 withdrawal of the rejection to these dependent claims is also respectfully requested.

**V. CONCLUSION:**

In summary, applicants respectfully submit that the instant application is in condition for allowance. Early notice to that end is earnestly solicited.

If a telephone conference would be of assistance in furthering prosecution of the subject application, applicant requests that the undersigned be contacted at the number below.

Respectfully submitted,



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